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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/937,357

Filing Date

09/24/2001

First Named Inventor

Nicholas F. D'Antonio

Art Unit

1641

Examiner Name

Ann Y. Lam

Attorney Docket Number

DA7119US (#90036)

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Response to Notice of Non-
Compliant Amendment; post
card**Remarks**Please charge any additional fees or credit any over payment
associated with this filing to applicants' attorney's
Deposit Account No. 08-2441.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

D. Peter Hochberg Co., L.P.A.

Signature

D. Peter Hochberg

Printed name

D. Peter Hochberg

Date

01/06/2005

Reg. No.

24,603

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Christine Kotran

Typed or printed name

Christine Kotran

Date

01/06/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nicholas F. D'Antonio, John T. Wagner and Richard O. Colvin
Serial No. : 09/937,357 / Conf. No. 7922
Filed : September 24, 2001
Title : HYPODERMIC INJECTION SYSTEM
Examiner : Ann Y. Lam
Group : 1641
Attorney Docket : DA7119US (#90036)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-4150

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

Responsive to the "Notice of Non-Compliant Amendment" mailed December 13, 2004,
please amend the claims without prejudice as set forth below.